

SERVICE DATE – MAY 9, 2006

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-43 (Sub-No. 178X)

ILLINOIS CENTRAL RAILROAD COMPANY–ABANDONMENT EXEMPTION–IN  
MADISON COUNTY, MS

Decided: May 5, 2006

Illinois Central Railroad Company (IC)<sup>1</sup> filed a notice of exemption under 49 CFR 1152 Subpart F–Exempt Abandonments to abandon its line of railroad that comes off IC's Grenada Sub at milepost 705.2 and traverses eastward approximately 12,300 feet to the end of the track in Canton, Madison County, MS. Notice of the exemption was served and published in the Federal Register on April 11, 2006 (71 FR 18408). The exemption is scheduled to become effective on May 11, 2006.

The Board's Section of Environmental Analysis (SEA) served an environmental assessment (EA) in this proceeding on April 14, 2006. In the EA, SEA states that IC indicates that it would take precautions during salvage operations to ensure public safety. IC also indicates that it would include proper erosion control during its salvage operations to minimize impacts to water resources. IC further indicates that no material will be disposed of into waterways during salvage activities. Therefore, SEA recommends that IC be required to conduct salvage activities in the following manner: take precautions during salvage operations to ensure public safety; include proper erosion control during its salvage operations to minimize impacts to water resources; and dispose of no material into waterways during salvage activities.

SEA states that the U.S. Environmental Protection Agency, Region 4 (USEPA), has provided general comments regarding the proposed abandonment. USEPA recommends that any runoff from the exposed rail bed be controlled during salvage activities, particularly at any rail line crossings of waterbodies such as streams. Moreover, USEPA states that any past petroleum or other chemical spills along the line should be cleaned up and removed railroad ties should be properly disposed of due to their creosote treatment. USEPA also recommends that all staging areas for salvage work be sited outside of wetlands and streams, and should be restored after salvage is completed. According to USEPA, if residences are located near the rail line, any noisy salvage work should be limited to weekdays during daytime hours to the extent feasible. USEPA also states that the salvage activities must comply with all Federal, state and local laws and regulations. Finally, USEPA recommends that all removed rails be recycled and the railroad

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<sup>1</sup> IC is a wholly owned subsidiary of Canadian National Railway Company.

corridor be allowed to revegetate naturally or be reused for approved linear or recreational projects. Therefore, based on the recommendations of USEPA, SEA recommends that IC be required to conduct salvage activities in the following manner: control any runoff from the exposed rail bed during salvage activities, particularly at any rail line crossings of waterbodies such as streams; site all staging areas for salvage work outside of wetlands and streams and restore those areas after salvage is completed; and limit any noisy salvage work to weekdays during daytime hours to the extent feasible.

Finally, SEA states that, while the Mississippi Department of Archives and History (State Historic Preservation Officer or SHPO) has stated that the proposed abandonment will have no adverse effect on historic properties listed in or eligible for inclusion in the National Register of Historic Places, the SHPO has indicated that there is a remote possibility that unrecorded cultural resources may be encountered during salvage activities. Therefore, SEA recommends that, in the event that any unrecorded cultural resources (such as archaeological sites, human remains, funerary items or associated artifacts) are discovered during IC's salvage activities, IC will immediately cease all work and notify SEA, interested Federally recognized tribes, and the SHPO. SEA shall then consult with the SHPO, interested Federally recognized tribes, and IC to determine whether any mitigation measures are necessary.

Comments to the EA were due by May 1, 2006. No comments were received by the due date. Accordingly, the conditions recommended by SEA in the EA will be imposed.

As conditioned, this decision will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. This proceeding is reopened.
2. Upon reconsideration, the exemption of the abandonment of the rail line described above is subject to the conditions that IC shall: (1) conduct salvage activities in the following manner: take precautions during salvage operations to ensure public safety; include proper erosion control during its salvage operations to minimize impacts to water resources; and dispose of no material into waterways during salvage activities; (2) conduct salvage activities in the following manner: control any runoff from the exposed rail bed during salvage activities, particularly at any rail line crossings of waterbodies such as streams; site all staging areas for salvage work outside of wetlands and streams and restore those areas after salvage is completed; and limit any noisy salvage work to weekdays during daytime hours to the extent feasible; and (3) in the event that any unrecorded cultural resources (such as archaeological sites, human remains, funerary items or associated artifacts) are discovered during salvage activities, immediately cease all work and notify SEA, interested Federally recognized tribes, and the SHPO, and SEA will then consult with the SHPO, interested Federally recognized tribes, and IC to determine whether any mitigation measures are necessary.

3. This decision is effective on its service date.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams  
Secretary